

SERIAL 03188 - IGA BOTTLED WATER

IFB NO. 03-325

CONTRACT PERIOD BEGINNING 09/15/03 ENDING 07/31/05

TO: All Departments

FROM: Department of Materials Management

SUBJECT: Contract for **BOTTLED WATER**

Attached to this letter is a listing of vendors available to Maricopa County Agencies utilizing the City of Phoenix Contract IFB NO. 03-325. The using agency and other interested parties may access and electronic version of this contract from the Materials Management Web site at:
http://www.maricopa.gov/materials/Awarded_Contracts/search.asp.

Please note: Price Agreement Purchase Orders (PG documents) may be generated using the information from this list. Use Commodity Code(s) B0700078.

All purchases of product(s) listed on the attached pages of this letter are to be obtained from the listed contractor(s).

CITY OF PHOENIX
PURCHASING, INVENTORY & RISK MANAGEMENT DIVISION
SUPPLIES CONTRACT SUMMARY

IFB NO. 03-325
AWARDED: 07/02/03

TITLE: BOTTLED WATER

CONTRACT PERIOD: August 1, 2003, through July 31, 2005

COGNIZANT BUYER: John Tang, Senior Buyer, (602) 262-7189, Purchasing Division

ACTIVITY APPROVED TO PARTICIPATE: Citywide (BUDGET AND RESEARCH APPROVAL REQUIRED)

METHOD OF ORDERING (ALL USERS): Issuance of blanket purchase orders on a fiscal year basis by Purchasing Division. Delivery schedule shall be arranged by vendor with using activity. ***ALL AUTHORIZED USERS REQUIRE BUDGET AND RESEARCH APPROVAL.***

METHOD OF PAYMENT: Payment will be made on a monthly basis in arrears. Vendor will send the monthly summary billing for each department to Accounts Payable with copies of that month's delivery tickets and dispenser rental charge. Accounts Payable will forward to user department for confirmation. User shall reconcile any discrepancies with Purchasing. Summary billing period will be from 1st to the end of each month.

NOTE: Goods Receipts (receiving reports) have been eliminated for this contract. Users shall monitor their usage from the delivery tickets and summary billing. Any adjustments necessary to the original blanket purchase order must be submitted in writing to Purchasing.

METHOD OF ORDERING/PAYMENT (CENTRAL STORES DISTILLED INVENTORY ONLY 39091502508): Individuals authorized by the Deputy Finance Director, Purchasing Division will place verbal orders direct to contractor with a contract order release (COR) number. Contract order releases will not be mailed to the Contractor. Vendor invoices, packing slips, and delivery tickets must contain the City CR number. A written purchase order will not be issued. Invoice shall be sent directly to Central Stores.

FOB POINT: Various City locations, and unloaded

OPTION TO EXTEND: Three (3) additional years, in one (1) year increments.

NOTE: Using department must monitor expenditures in accordance with F. D. Letter #206.

-continued-

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TITLE: BOTTLED WATER
EXPIRES: July 31, 2005

IFB NO. 03-325

VENDOR: Arrowhead Mountain Spring Water Company Nestle Waters North America 12815 North 39th Avenue Phoenix, AZ 85029 Erik Zalenski, Market Key Account Sales Manager Phone (602) 547-3834 Fax: (602) 938-9781 E-mail: ezalenski@perriergroup.com or ddaniels@perriergroup.com	VENDOR NO. 3017746 AGREEMENT NO. P-07378-05 TAX CODE: I1 TERMS: Net 60 Days (63) DELIVERY: As Scheduled FOB POINT: D (Dest.)
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PAYMENT P. O. Box 52237
ADDRESS Phoenix, AZ 85072-2237

MATERIAL GROUP: 39000

<u>ITEM NO.</u>	<u>DESCRIPTION</u>	<u>TWO YEAR ESTIMATED QUANTITY</u>	<u>UNIT PRICE</u>
1.	Drinking Water, 5 Gallon Bottle	19,000 Bottles	\$1.80/Bottle
2.	Laboratory Water, 5 Gallon Bottle	3,000 Bottles	\$1.80/Bottle
3.	COLD ONLY Electric Water Dispenser Rental	2,160 Rental Months	\$0.50/Month
4.	HOT AND COLD Electric Water Dispenser Rental	480 Rental Months	\$1.00/Month
5.	NON-ELECTRIC Dispenser Rental	48 Rental Months	\$0.50/Month
6.	Charge for Lost or Damaged Bottle	20 Each	\$10.00/Each

All water shall be delivered in five (5) gallon plastic no-deposit returnable bottles. In the event bottle(s) are damaged or lost, a \$10.00 charge will be incurred.

Drinking water shall be delivered to the various City locations on a regular route stop as scheduled by user directly with vendor.

ESTIMATED *ANNUAL* CONTRACT AMOUNT: \$21,000.00

-74A-

SPY074
(07/24/03)

**THIS CONTRACT IS BEING USED
UNDER IGA-P-5053-99**

WITH

CITY OF PHOENIX

(COPY OF SOLICITATON/CONTRACT ATTACHED)

**CITY OF PHOENIX
IFB NO. 03-325 (JT)**

BOTTLED WATER - REQUIREMENTS CONTRACT

The City of Phoenix invites sealed bids for Bottled Water – Requirements Contract, for a two (2) year period commencing on or about August 1, 2003, in accordance with the provisions, specifications, and bidding instructions set forth in this Invitation for Bid and the attached General Bidding Instructions and Conditions of Purchase. Bids will be received by the Purchasing Division, Eighth Floor, 251 West Washington, Phoenix, Arizona 85003, until 10:30 a.m., local time, **Friday, June 13, 2003**, at which time they will be opened and publicly read. Late bids will not be considered.

In order for your bid or quotation to be considered, your firm must comply with Phoenix City Code, 1969, Chapter 18, Article V, as amended, Affirmative Action Program. Failure to comply with the reporting requirements of this ordinance will result in your bid being rejected. Firms are also responsible for maintaining their eligibility during the life of any contract and failure to do so may result in termination of the contract. A form has been included within this IFB package to assist you in complying with the ordinance. Any questions in regard to this Affirmative Action Program should be directed to the Affirmative Action Contractor Compliance Section of the Equal Opportunity Department, (602) 262-6790. The City of Phoenix extends to each individual, firm, vendor, supplier, contractor and subcontractor an equal economic opportunity to compete for City business. Successful majority firms are expected to use disadvantaged, minority-owned and women-owned businesses in the subcontracting and purchasing of services and commodities that reflect the business community ethnic composition.

Any questions in regard to this bid should be directed to **John Tang, Senior Buyer, (602) 262-7189**, Purchasing Division.
THE CITY CANNOT ACCEPT YOUR BID RESPONSE VIA FAX.

BIDFAX USERS: IF YOUR FIRM RECEIVED THIS INVITATION FOR BID THROUGH THE CITY'S BIDFAX SYSTEM, ALL ADDENDUMS AND/OR INFORMATIONAL NOTICES FROM THE CITY WILL BE SENT VIA FAX TO THE SAME TELEPHONE NUMBER YOUR FIRM USED FOR YOUR ORIGINAL REQUEST TO RECEIVE A COPY OF THIS INVITATION FOR BID. THE CITY CANNOT ACCEPT YOUR BID RESPONSE VIA FAX.

A printed copy of the bid tabulation will be available upon written request to the Purchasing Division. Telephone requests will not be accepted. Each written request must contain a self-addressed, stamped envelope and must reference the bid title and number. Bid tabulations will be posted and available for public viewing in the reception room of the Purchasing Division approximately one (1) week from the bid opening date, for a period of 60 days.

This publication is available in the following alternative formats: Large Print, Braille, Audio-Tape, or Computer Diskette. Please call the Purchasing receptionist at (602) 262-7181 or FAX number (602) 534-1933 for assistance.

1. ADDITIONAL CONDITIONS OF PURCHASE

1.1. FOB POINT

Prices quoted shall be FOB various City locations, and unloaded.

1.2. PRICE

All prices quoted shall be firm and fixed for the length of the contract, including option period.

1.3. BID INCENTIVE FOR PRODUCTS/SERVICES OFFERED BY A CERTIFIED MINORITY OWNED BUSINESS ENTERPRISE (MBE) OR WOMAN OWNED BUSINESS ENTERPRISE (WBE)

In accordance with the Phoenix City Code 18-204, a 5% bid incentive will be given to local (Maricopa County) certified MBE or WBE firms competing for contracts valued up to \$250,000, or a 2.5% bid incentive for contracts over \$250,000 but under \$500,000. In determining the lowest responsive and responsible bid or proposal, any bid or proposal submitted by a local certified MBE or WBE firm shall be adjusted by reducing the price(s) of such bidder or proposer by the applicable bid incentive, provided the MBE/WBE firm was certified at the time of the bid opening. This adjustment shall be solely for the

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IFB NO. 03-325 (JT)**

BOTTLED WATER - REQUIREMENTS CONTRACT

purpose of establishing the apparent low bidder or proposer. The actual value of any contract awarded shall be the amount of the actual bid or proposal submitted by the MBE or WBE. To be eligible for the price preference, MBE or WBE firms must be certified as such by the City's Equal Opportunity Department, under the conditions set forth in Ordinance G-3695.

NOTICE: THE PROCESS OF BECOMING A CERTIFIED MBE/WBE FIRM BY THE EQUAL OPPORTUNITY DEPARTMENT TAKES SEVERAL WEEKS. PLEASE CONTACT THE EQUAL OPPORTUNITY DEPARTMENT AT (602) 262-6790.

1.4. BID INCENTIVE FOR JOINT VENTURES INVOLVING CERTIFIED MBE OR WBE FIRMS

In accordance with the Phoenix City Code 18-204, any qualified joint venture shall receive a 5% bid incentive when competing for contracts valued up to \$250,000, or a 2.5% bid incentive for contracts over \$250,000 but under \$500,000, when local certified MBE or local certified WBE participation equals or exceeds thirty-five percent (35%) of the Joint Venture (JV). The MBE or WBE Joint Venture partner must be responsible for a clearly defined portion of the work to be performed. This portion must be set forth in detail separately from the work to be performed by the non-MBE or non-WBE JV partner.

The MBE/WBE JV partner's work must be assigned a commercially reasonable dollar value and use its own employees and equipment. The MBE/WBE JV partner must share in the ownership, control, management and administrative responsibilities, risks, and profit of the JV, in direct proportion to its stated level of JV participation. The MBE/WBE JV partner must perform work that is commensurate with its experience. The MBE/WBE JV partner must be a certified local vendor by the City's Equal Opportunity Department at the time of the bid opening.

To be considered, the bidder or proposer must so state in writing with their bid or proposal response, their intention to perform the contract under a Joint Venture arrangement with a certified local MBE or WBE firm and must have applied for Joint Venture Certification by the City's Equal Opportunity Department, **PRIOR TO THE BID OPENING DATE AND TIME**. The price preference will not be applied to bids or proposals submitted on a joint-venture basis, if the application for certification was not received by the Equal Opportunity Department prior to the bid opening date and time. Contact Rosemary Ybarra-Hernandez, Management Assistant, (602) 261-8551; FAX (602) 534-1785, to apply for certification as an MBE/WBE Joint Venture.

NOTICE: THE PROCESS OF BECOMING A CERTIFIED MBE/WBE FIRM BY THE EQUAL OPPORTUNITY DEPARTMENT TAKES SEVERAL WEEKS. PLEASE CONTACT THE EQUAL OPPORTUNITY DEPARTMENT AT (602) 262-6790.

1.5. BLANKET PURCHASE ORDER

Written blanket purchase orders will be issued by the Purchasing Division. Individuals of the using departments specifically authorized by the Deputy Finance Director, Purchasing Division will place verbal releases directly to the contractor. Actual materials furnished during the contract period will be charged to the appropriate blanket purchase order and billed accordingly. It is expressly understood that the City shall be responsible for only the actual quantity of materials ordered and authorized to be delivered. Any quantity balances remaining on the written blanket purchase orders at the end of the City fiscal year (June 30), or contract period, will be canceled, without cost to the City.

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1.6. SUMMARY BILLING

Payment to be made from Vendor's Summary Billing submitted monthly with a copy of the signed delivery tickets to cover items received and accepted by the City departments during the billing period. Summary bill shall be sorted and totaled by department and purchase order number.

1.7. METHOD OF ORDERING (CENTRAL STORES DISTILLED INVENTORY ONLY)

Individuals specifically authorized by the Deputy Finance Director, Purchasing Division will place verbal orders direct to contractor without a purchase order number, but must provide a contract order release (COR) number to the contractor at the time of verbal order placement. Contract order releases will not be mailed to the Contractor. Vendor invoices, packing slips, and delivery tickets must contain the City CR number. A written purchase order will not be issued.

Payment to be made from Vendor's invoice, and a copy of the signed delivery invoices, submitted to cover items received and accepted against the contract release. Invoices must contain the CR number. The invoice shall be included with each delivery, or promptly mailed directly to the ordering department.

1.8. OPTION TO EXTEND

The City may, at their option and with approval of the Contractor, extend the period of this agreement up to three (3) additional year(s), in one-year increments. Contractor shall be notified in writing by the Deputy Finance Director, Purchasing Division of the City's intention to extend the contract period at least sixty (60) calendar days prior to the expiration of the original contract period.

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2. SCOPE

For the supply of approximately 19,000 bottles of drinking water, 3,000 bottles of purified/distilled laboratory water, and an estimated one hundred and ten (110) each electric bottled water dispensers on an "as needed" basis during the contract period beginning on or about August 1, 2003 and ending July 31, 2005.

- 2. 1 Contractor shall furnish bottled waters that adhere to the Quality Standards of the Food and Drug Administration and the International Bottled Water Association. All drinking water shall comply with all Federal, State, County and local water quality standards.
- 2. 2 All bottled water must comply with the following regulations: 21 CFR Section 165.110 Bottled Water Standards and 21 CFR 129.1 through 129.7 Good Manufacturing Practices.
- 2. 3 Contractor shall supply as laboratory water, water with a minimum resistivity of 500,000 ohms/cm.
- 2. 4 All water shall be supplied in five (5) gallon plastic No-Deposit Returnable bottles. In the event bottles are damaged or lost while in the possession of the City, compensation for same will be made as indicated in the Bid Price Schedule.
- 2. 5 Drinking water shall be delivered to the various City locations on a weekly basis, unless requested otherwise by the using activity.
- 2. 6 Payment shall be made on a monthly basis in arrears.
- 2. 7 Contractor shall furnish electric bottled water dispensers on a rental basis. Dispenser components shall be UL and CSA listed, and FDA approved.
- 2. 8 Bidder shall include with bid, product analysis data information for offered water and product literature for the dispensers.
- 2. 9 The City reserves the right to add, relocate, or delete delivery locations as required.

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BOTTLED WATER - REQUIREMENTS CONTRACT

3. SUBMITTALS

In order to be considered, bidder must complete and submit their bid on this form to the City of Phoenix Purchasing Division at the Eighth Floor, 251 West Washington, Phoenix, Arizona 85003, by no later than the opening date and time cited above. Please identify as a sealed bid in accordance with the instructions of Provision 2 of General Bidding Instructions and Conditions of Purchase.

Bidder is to detach and retain the General Bidding Instructions and Conditions of Purchase, Additional Conditions of Purchase, Scope and attachments from this form entitled "Bidder's Offer". Only this "Bidder's Offer" form is to be returned which offer shall incorporate by reference the General Bidding Instructions and Conditions of Purchase, Additional Conditions of Purchase, Scope and attachments. **If not attached, the City's General Bidding Instructions and Conditions of Purchase, latest edition, are hereby incorporated by reference. Copies may be obtained by calling the BIDX system at (602) 262-6430.**

PLEASE SUBMIT ONE (1) ORIGINAL AND THREE (3) COPIES OF COMPLETED BIDDER'S OFFER FORM. THE CITY CANNOT ACCEPT YOUR BID RESPONSE VIA FAX.

Bids submitted as "acceptable alternates" should include detailed product or service literature, suitable for evaluation by the City. **IF THE MATERIAL, EQUIPMENT, OR SERVICE YOU INTEND TO OFFER HAS SIGNIFICANT VARIATIONS FROM THE SPECIFICATIONS STATED IN THIS INVITATION FOR BID, PLEASE READ PROVISIONS 13, 14, AND 15 OF THE GENERAL BIDDING INSTRUCTIONS AND CONDITIONS OF PURCHASE AND FOLLOW THE INSTRUCTIONS ACCORDINGLY.**

The City will not be responsible for any Bidder errors or omissions.

This offer shall remain in effect for a period of 90 calendar days from the bid opening date and is irrevocable.

Award will be made to the lowest responsive and responsible bidder(s).

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3.1 **ALL OR NONE BID PRICE SCHEDULE**

NOTE: DO NOT INCLUDE ANY SALES, USE, OR FEDERAL EXCISE TAX IN YOUR BID. THE CITY IS EXEMPT FROM THE PAYMENT OF FEDERAL EXCISE TAX AND WILL ADD SALES OR USE TAX AS APPLICABLE. THE CITY OF PHOENIX SALES TAX REFUND WILL BE CONSIDERED IN THE EVALUATION OF BIDS RECEIVED FROM BIDDERS LOCATED IN THE CITY OF PHOENIX.

VENDORS WITH MULTIPLE SALES OUTLETS IN THE LOCAL AREA, SHOULD SUBMIT THEIR BID RESPONSE THROUGH THEIR PHOENIX OUTLET, TO AVOID THE COST DISADVANTAGE ASSOCIATED WITH THE SALES TAX IMPLICATIONS.

ITEM NO.	DESCRIPTION	TWO YEAR ESTIMATED QUANTITIES	UNIT PRICE EXCLUDING TAX	TOTAL PRICE EXCLUDING TAX
1.	Drinking Water	19,000 bottles	_____BT	_____
2.	Laboratory Water	3,000 bottles	_____BT	_____
3.	Cold Only: Electric Water Dispenser Rental	2,160 rental months	_____MO	_____
4.	Hot and Cold: Electric Water Dispenser Rental	480 rental months	_____MO	_____
5.	Non-Electric Dispenser Rental	48 rental months	_____MO	_____
6.	Charge for Lost or Damaged Bottle	20 each	_____EA	_____

\$ _____
Grand Total Items 1-6
"ALL OR NONE"

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BOTTLED WATER - REQUIREMENTS CONTRACT

3.2 PAYMENT TERMS

Bidder offers a prompt payment discount of _____% _____ calendar days or _____% _____ PROXIMO (Select One), to apply after receipt of invoice or final acceptance of the products, whichever is later. If no prompt payment discount is offered, enter 0 in the % space to indicate net 30 days, otherwise payment terms shall be 2% 20 days, net 30 days; effective after receipt of invoice or final acceptance of the products, whichever is later. Payment terms offering less than 20 calendar days, either PROXIMO or regular, will not be considered in the price evaluation of your bid. Payment terms offering 20 calendar days or more, will be considered in the bid evaluation process.

ANY PROMPT PAYMENT TERMS OFFERED MUST BE CLEARLY NOTED BY THE CONTRACTOR ON ALL INVOICES SUBMITTED TO THE CITY FOR THE PAYMENT OF GOODS OR SERVICES RECEIVED.

3.3 AWARD

Award will be made on an "all or none" basis. Prices must be shown for each item listed. Bids submitted without individual item prices listed will be considered as non-responsive and rejected.

3.4 DELIVERY TIME

All deliveries shall be made between the hours of 8:00 a.m. and 4:00 p.m., local time Monday through Friday, excluding holidays.

Central Stores delivery hours are 7:00 a.m. to 3:00 p.m.

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3.5 CERTIFICATIONS

In the event only one response is received, the City may require that the bidder submit a cost proposal in sufficient detail for the City to perform a cost/price analysis to determine if the bid price is fair and reasonable.

Bidder certifies it is a: proprietorship ____; partnership ____; corporation ____.

Arizona Sales Tax No. _____

Use Tax No. for Out-of-State Suppliers _____

City of Phoenix Sales Tax No. _____

Taxpayer's Federal Identification No. _____

Bidder certifies that he has read, understands, and will fully and faithfully comply with this invitation for bid, its attachments and any referenced documents. Bidder also certifies that the prices offered were independently developed without consultation with any of the other bidders or potential bidders.

Company's Legal Name _____

Address _____

City, State and Zip Code _____

Telephone Number _____

Company's Fax Number _____

Company's Toll Free Number _____

E-mail Address _____

Authorized Signature _____

Printed Name and Title _____

MAILING ADDRESSES (If different from above)

Purchase Order:

Name _____

Address _____

City, State and Zip Code _____

Payment Address: (If different from above)

NOTE: Any assignment of proceeds must go through the City of Phoenix, Division of Accounts, formal assignment procedure. Please also refer to the Assignment Provision in the General Bidding Instructions and Conditions of Purchase.

Name _____

Address _____

City, State and Zip Code _____

ARROWHEAD MOUNTAIN SPRING WATER COMPANY, 12815 N. 39TH AVENUE, PHOENIX, AZ 85029

Terms:	NET 60
Federal Tax ID Number:	94-3027327
Vendor Number:	943027327 A
Telephone Number:	602/547-3734
Fax Number:	602/938-9781
Contact Person:	Erik Zalenski
E-mail Address:	ezalenski@perriergroup.com
Contract Period:	To cover the period ending July 31, 2005 .